



October 3, 2012

(By electronic transmission)
City of Alameda Historical Advisory Board
2263 Santa Clara Avenue
Alameda, CA 94501

Subject: Historic Preservation Ordinance Revisions

Dear Boardmembers:

The Alameda Architectural Preservation Society (AAPS) is very pleased that the Historic Preservation Ordinance revisions are again moving forward. We especially appreciate the effort by staff to find a way to bring this process, underway since 2005, to an expeditious conclusion.

We have the following comments in response to the staff report:

1. **Clarify which version of the draft ordinance is being referred to in the staff report.** The staff report states that the December 2011 draft ordinance is attached to the staff report and refers to the December 2011 draft in the report discussion. However, it is actually a February 2012 draft that is attached to the report and listed at the end of the report under "Attachments"; it is text from this draft that is referenced in the report. We therefore assume that the report's references to the December 2011 draft are actually intended for the February 2012 draft. **We request that staff confirm this.** It should be noted that the February 2012 draft has not yet been reviewed by the HAB, AAPS or the general public.
2. **Continue to review the draft ordinance in its entirety, rather than reviewing it section-by-section as recommended by staff.** A section by section review is inefficient, since most of the sections are interrelated. Reviewing just 1-3 sections at a time could therefore lead to repeated back-and-forth revisions when subsequent sections are reviewed.

For example, almost everything is related to the definitions section. The terminology set forth in the definitions section needs to be known before the other sections are reviewed. Conversely, the treatment of defined terms elsewhere in the ordinance (e.g. regulatory controls for various classes of historic properties) could influence how certain terms are defined. Concurrent review of both the definitions and the ordinance sections that incorporate the defined terms is therefore the most efficient approach.

Assuming that the HAB's review is based on the February 2012 draft (which already reflects extensive HAB and public input), the HAB review could probably be completed in two or three meetings. These could consist of one or two workshops to resolve any remaining issues, plus a formal public hearing to finalize the HAB recommendations. This would be a more expeditious

process and require less staff time than the three or four workshops plus public hearing that the section-by-section approach would require.

A minimum three week review period prior to the HAB meeting should be provided for each draft, whether it is for the entire ordinance or for one or more sections.

If the HAB decides to accept the section-by section approach, it should specify that previously reviewed sections are subject to modification based on the review of subsequent sections and that the ordinance be addressed in its entirety at the final public hearing.

3. **Adopt staff's recommendation to use a "strike-out/underline" format for all future revisions.** The format should indicate changes both to the existing ordinance as well as the immediately preceding draft. Unfortunately, the February 2012 draft does not use this format. The draft should be revised, if possible, to reflect the format.
4. **Continue the HAB Subcommittee to finalize the ordinance.** The use of a subcommittee consisting of one or two HAB members to work with staff to prepare the previous drafts seems to have worked well. Among other things, it helps ensure that the HAB's intent is reflected in each draft. If staff does not agree with the subcommittee proposals, an alternative staff recommendation can be presented in the staff report.
5. **Schedule.** To help ensure that the ordinance is completed expeditiously, staff should prepare a schedule showing realistic target dates for each of the remaining HAB meetings as well as City Council adoption.
6. **Do not refer to the Secretary of the Interior's Standards in the "Purpose" section.** Staff's added references to the Standards in the Purpose section should be deleted, since the HAB has previously said that the Standards should apply only to Landmarks and Historic Districts (paralleling the existing ordinance's application of the Standards only to Historical Monuments), but not to other "Historical-Cultural Resources" (paralleling the treatment of the existing Historic Building Study List). Staff's proposed language instead implies that the Standards would apply to **all** historic resources.

In addition, referencing the Standards is too specific for a "Purpose" section.

Thank you for the opportunity to comment. Please contact Christopher Buckley at (510)523-0411 or cbuckleyAICP@att.net if you would like to discuss these comments.

Sincerely,



Karin Sidwell, Chair
Preservation Action Committee
Alameda Architectural Preservation Society

By electronic transmission:

cc: Lori Taylor, Andrew Thomas and Barbara Meerjans , Community Development Department
AAPS Board and Preservation Action Committee members